

REMARKS

All claims have been amended to provide that the boron complex is a deprotonated bis(aromatic)amine complex. Further, the complex contains at least 5 rings and comprises an amine that is an aromatic tertiary amine group.

Claims 39-42 have been canceled.

Claims 2, 3, 13, 22, and 28 have been canceled as either already included in Claim 1 or inconsistent with Claim 1. The remaining claims, where amended, are to conform to the amended claim 1.

Claims 1, 4, 7-9, 12, 15-19, and 29-42 stand rejected under 35 U.S.C. 102(a) as being anticipated by Hoag et al. (EP 1340798). Hoag et al. discloses organic electroluminescent devices comprising bis(azinyl)amine ligands with substituent groups, which may comprise an amine (see abstract). Inv-23 on page 7 shows a compound with a tertiary amine group. the amended claims now contain limitations to the number of rings and triaryl amine groups not suggested in the reference.

Claims 1-29 and 32-42 stand rejected under 35 U.S.C. 102(e) as anticipated by or in the alternative, under 35 U.S.C. 103(a) as obvious over Karandikar (US 6,689,494). Karandikar discloses boron containing compounds, which may comprise amino groups as substituent groups in an organic electroluminescent device (see abstract). The boron compound dopants may be present in an amount of less than 2.5% (see col. 4, line 57). Karandikar is deemed to set forth the compounds of the claims. In the alternative that Karandikar is not considered sufficient to anticipate the claims requiring a boron-containing compound with an amine substituent group, it would have been obvious to one of ordinary skill in the art at the time of the invention to have selected substituent groups as required, because Karandikar generally teaches all of the required components. Quinoline compounds are described as host materials per claim 32 (see col. 4, line 58).

The present amendment clearly distinguishes Karandikar. Karandikar does not encompass the amine deprotonated complex, only the methene. Further, no tertiary arylamine substituent is suggested or tested. Karandikar presents no efficiency data but there is no motivation to arrive at the present invention from the readily distinguishable compound of Karandikar.

Hoag contains no working examples specifically including a boron complex with an amine substituent. However, the compounds tested are presumed to represent the best mode and provide a measured efficiency ranging from about 1 to 3 Cd/A at 1% dopant loading. By comparison, the efficiency in the present application is almost 9 at 1% dopant loading of a tertiary aromatic substituted deprotonated amine.

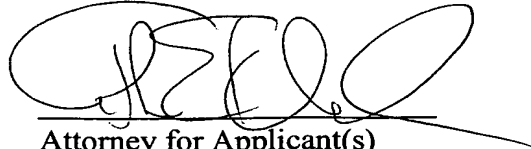
Claims 1, 4, 7-9, 12, 15-19, and 29-42 stand rejected under 35 U.S.C. 102(e) as being anticipated by Hoag et al. (US 6,661,023). The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). Claims 1-42 stand rejected under 35 U.S.C. 102(e) as being anticipated by Vargas et al. (US 2005/0170204). Both of these references are overcome by the enclosed Terminal Disclaimer and Statement of Common Ownership.

Claims 1-42 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-8 and 10-59 of U.S. Patent No. 6,661,023. Claims 1-42 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-47 of copending Application No. 10/768,327. Claims 1-31 and 34-42 stand provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 25, 44, 51, 53, and 54 of copending Application No. 10/889,654. Claims 1-9, 12, 19, 29-31, and 34-42 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-5, 19, 20, and 26-30 of U.S. Patent No. 7,033,681.

It is believed that these Double Patenting rejections are overcome by the enclosed Terminal Disclaimer and Statement of Common Ownership.

In view of the foregoing amendments and remarks, the Examiner is respectfully requested to withdraw the outstanding rejection and to pass the subject application to Allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'AKLUEGEL', written over a horizontal line.

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.

Encl: Terminal Disclaimer and Statement of Common Ownership